

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.
)	
A GERMAN SPORTS GUN FIREFLY)	
PISTOL, CALIBER 22, SERIAL NO.)	
F396410, and)	
)	
NINE ROUNDS OF RWS AMMUNITION,)	
CALIBER 22,)	
)	
Defendants.)	

VERIFIED COMPLAINT FOR FORFEITURE

AND NOW comes the United States of America, by and through its counsel, Scott W. Brady, United States Attorney for the Western District of Pennsylvania, and David Lew, Assistant United States Attorney for the Western District of Pennsylvania, and respectfully represents as follows:

1. Plaintiff, the United States of America, brings this civil action *in rem* for forfeiture to the United States of a German Sports Gun Firefly Pistol, Caliber 22, Serial No. F396410, and nine rounds of RWS ammunition, caliber 22 (collectively the “Defendant Property”) pursuant to 18 U.S.C. § 924(d)(1).

2. Jurisdiction is predicated upon 28 U.S.C. §§ 1345 and 1355. Venue is proper under 28 U.S.C. §§ 1395 and 1355.

3. On October 2, 2019, agents of the Bureau of Alcohol, Tobacco, Firearms and Explosives (the “ATF”) arrived at the residence of Justin McConnell (“McConnell”) in response to a request from local law enforcement for assistance.

4. Agents made contact with McConnell and advised him of his Miranda rights. McConnell waived his Miranda rights in writing and elected to be interviewed. McConnell further consented to a search of his trailer residence.

5. McConnell stated that he knew he was a convicted felon and could not possess a firearm. McConnell further stated that the handgun in his trailer belonged to his ex-wife Jennifer McConnell.

6. During a consent search of McConnell's residence, agents located a German Sports Gun Firefly Pistol, Caliber 22, Serial No. F396410, and nine rounds of RWS ammunition, caliber 22, in a dresser.

7. When McConnell was asked if his fingerprints and DNA would be on the pistol, he responded affirmatively.

8. Following the search of McConnell's residence, agents took custody of the Defendant Property. ATF then instituted administrative forfeiture proceedings against the Defendant Property. During these proceedings, Jennifer McConnell filed a claim for the Defendant Property. As a result, the United States has instituted this civil forfeiture action against the Defendant Property.

9. Based on the foregoing, the Defendant Property is forfeitable to the United States pursuant to 18 U.S.C. § 924(d)(1).

WHEREFORE, the United States of America respectfully requests that process of warrant *in rem* issue for the arrest of the Defendant Property; that judgment of forfeiture be entered in favor of the United States for the Defendant Property; and that the United States be granted such

relief as this Honorable Court may deem just and proper, together with the costs and disbursements of this action.

Respectfully submitted,

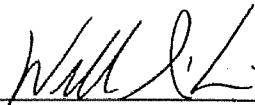
SCOTT W. BRADY
United States Attorney

/s/ David Lew
DAVID LEW
Assistant U.S. Attorney
700 Grant Street, Suite 4000
Pittsburgh, PA 15219
412-894-7482 (tel)
412-644-2644 (fax)
david.lew@usdoj.gov
PA ID No. 320338 (AFF)

VERIFICATION

I am a Special Agent of the Bureau of Alcohol, Tobacco, Firearm and Explosives and an agent assigned the responsibility for this case. I have read the contents of the foregoing complaint for forfeiture and the statements contained therein are true and correct to the best of my knowledge and belief.

I verify under penalty of perjury that the foregoing is true and correct. Executed on this 18th day of FEBRUARY, 2020.



WILLIAM ISBIR, Special Agent
Bureau of Alcohol, Tobacco, Firearms and Explosives